

**From:** [Martin, Molly](#)  
**To:** [Mcshane, John](#); [Johnson, Ivry](#); [Jones-Coleman, Diane](#)  
**Subject:** Clarification RE: UPDATE FOIA EPA-HQ-2013-009919 (John Davis)  
**Date:** Thursday, September 26, 2013 10:58:50 AM

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After speaking with John, I need to amend the former statement- We (region 9) will not 'finalize' the draft. HQ will handle from here on out.

Pardon the confusion and thank you for your understanding.

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**From:** Martin, Molly  
**Sent:** Thursday, September 26, 2013 8:58 AM  
**To:** Mcshane, John; Johnson, Ivry; Jones-Coleman, Diane  
**Subject:** UPDATE FOIA EPA-HQ-2013-009919 (John Davis)

Good Morning,

Just wanted to provide an update. With the history or REGION 9 WTR-3 already having answered 7 FOIAs pertaining to the exact same documents and questions, we believe that HQ should respond to this request. As it would appear he would like and answer from HQ here, not region 9. (I recently learned also that other WTR offices in our division have responded to other FOIAs from the same individual related to technical aspects of the NEPs restoration projects)

We will finalize the response by the beginning of next week. People are out and we just want to get a complete consensus which may not be before COB on Friday. I can tell you it will be very brief. Essentially there are no records responsive to the specific request. In the past our office has tried to point to other documents that may help but do not technically satisfy the specificity of the request. This has only resulted in opening more loops and creating more requests rather than the intended effect of actually answering his questions. As advised by the legal counsel, we should only reply to exactly what he is asking, not more.

Thanks for your patience and understanding.

**Molly Martin**

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